

Application No. 10/590,941
Reply to Office Action of September 19, 2008

SUPPORT FOR THE AMENDMENTS

Claims 1, 3-9 and 12 have been canceled. Accordingly, no new matter has been added to the present application by the amendments submitted above.

REMARKS

Claims 2, 10, 11 and 13-16 are pending. Favorable reconsideration is respectfully requested.

The present invention relates to a modified polyolefin resin, which is obtained by graft modifying a propylene-based random copolymer having a melting point of 50 to 130°C obtainable by polymerization in the presence of a metallocene catalyst, with an unsaturated carboxylic acid and/or its derivative and with a (meth)acrylic acid ester, and which has a weight average molecular weight of 15,000 to 200,000, a graft weight of the unsaturated carboxylic acid and/or its derivative being in the range of 0.1 to 20% by weight, a graft weight of the (meth)acrylic acid ester being in the range of 0.1 to 30% by weight. See Claim 2.

The rejection of Claims 1, 3, 4, 5, 8 and 9 under 35 U.S.C. §102(e) over Fujino is believed to be obviated by the amendments submitted above. Accordingly, withdrawal of this ground of rejection is respectfully requested.

The rejection of the claims under 35 U.S.C. §103(a) over Usui in view of Komoto is respectfully traversed. The cited references fail to suggest the claimed polyolefin.

As the Examiner recognizes, Usui fails to disclose the use of a metallocene catalyst. When combined with the use of (meth)acrylic acid ester at a graft weight in the range of 0.1 to 30%, the metallocene catalyst has a significant beneficial effect.

As apparent from the comparison of Examples 1 and 11 (which are comparative examples with the cancellation of Claim 1) and other Examples of the present application, the resin of Claim 2 has superior properties of heat resistance and compatibility. Since neither Usui nor Komoto disclose or suggest the use of a metallocene catalyst as claimed, the combination of those references fails to suggest that the combination of the metallocene

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catalyst and the specific graft amount specified in Claim 2 would provide the beneficial effects shown in the specification.

For these reasons, the claimed polyolefin is not suggested by the combination of Usui in view of Komoto. Accordingly, the pending claims are not obvious over those references. Withdrawal of this ground of rejection is respectfully requested.

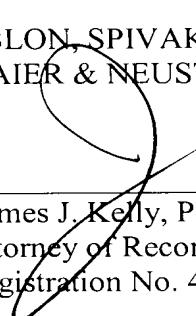
The rejection of Claim 16 under 35 U.S.C. §103(a) over Usui in view of Komoto and Kimura is respectfully traversed. The cited references fail to suggest the claimed polyolefin.

As discussed above, the claimed polyolefin is not obvious over the combination of Usui and Komoto. Since Kimura fails to remedy the deficiencies of those references, the pending claims are also patentable over the combination of Usui in view of Komoto and Kimura. Accordingly, withdrawal of this ground of rejection is respectfully requested.

The obviousness-type double patenting rejection over U.S. patent No. 7,235,610 is believed to be moot, since the rejected claims have been canceled. Accordingly, withdrawal of this ground of rejection is respectfully requested.

Applicants submit that the present application is in condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

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